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UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

PEDRO MINJARES GARCIA,

Plaintiff,

v.

MICHAEL AYTES ET AL.,

Defendants.

No. CV 09-3573 WHA

PLAINTIFF'S MOTION FOR VOLUNTARY  
DISMISSAL; ~~PROPOSED~~ ORDER

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff, Pedro Minjares Garcia, through counsel, requests that his complaint for relief under the Administrative Procedure Act, currently pending before the Court, be dismissed without prejudice. Because Defendants have accepted his application for asylum, Mr. Minjares is no longer alleging that the Defendants are refusing to accept his application.

WHEREFORE, Plaintiff prays that this Court allow him to voluntarily dismiss his complaint, without prejudice.

1 DATED: September 11, 2009

/s/

2 Robert B. Jobe  
3 LAW OFFICE OF ROBERT JOBE  
4 550 Kearny Street, Ste. 200  
5 San Francisco, CA 94108  
6 (415) 956-5513

7 Attorney for Plaintiff

8 **[PROPOSED] ORDER**

9 IT IS HEREBY ORDERED that Plaintiff's motion for dismissal of the action without  
10 prejudice be granted.

11 DATED: September 17, 2009

